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C O N F I D E N T I A L SECTION 01 OF 03 KINSHASA 000509

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SUBJECT: AMBASSADOR RICE, UNSC PERMREPS MEET WITH MONUC AND
DRC LEADERSHIP

REF: KINSHASA 492

Classified By: Ambassador William J. Garvelink for reasons 1.4 (b) and
(d).

11. (SBU) Summary: On May 18 Ambassador Susan Rice and the United Nations Security Council (UNSC) Permanent Representatives (permreps) met with North Kivu provincial officials, MONUC leadership, and victims of sexual violence in Goma and visited Kiwanja, a village in North Kivu, where rebel groups massacred civilians in November 2008. On May 19, the delegation traveled to Kinshasa, meeting President Joseph Kabila, Prime Minister Adolphe Muzito, Senate President Leon Kengo Wa Dondo, and National Assembly President Evariste Boshab. Ambassador Rice and Ambassador Garvelink held a bilateral meeting (reftel) with Kabila following the group meeting. The UNSC-GDRC discussions focused on continued progress on the rapprochement between the DRC and its Great Lakes neighbors, regional joint military operations against the FDLR and LRA and the impact of the global economic crisis on the DRC. The Security Council ambassadors underscored the importance of human rights protection, security sector reform, and the need for the DRC to end impunity. End summary.

UNSC in Goma - A Snapshot

12. (SBU) Fifteen members of the UN Security Council (UNSC), including Ambassador Susan Rice, visited Goma on May 18 for a first hand look at the UN's largest peacekeeping mission. UNSC members clearly focused on MONUC's primary mission of civilian protection. Following a military briefing by MONUC commanders and a general review of North Kivu stability by Governor Julien Paluku, the ambassadors questioned FARDC General Amuli about government troops' human rights abuses. Amuli admitted that FARDC troops were poorly trained, but said the government is currently involved in operations against the FDLR and cannot move forward on planned security sector reform (SSR). Ambassador Rice demurred, asking why integrated battalions guilty of the worst abuses could not be moved from the east or garrisoned to instill better discipline. MONUC Force Commander Gaye concurred, noting that training and operations can occur simultaneously. Amuli said the joint MONUC-FARDC Operation Kimia II against the FDLR might last as little as three months.

13. (SBU) In a briefing with MONUC and local NGOs on the humanitarian situation, UN Deputy Special Representative of the Secretary General (D/SRSG) Ross Mountain recounted the UN/NGO role in averting a humanitarian crisis in eastern Congo. While many internally displaced persons (IDPs) are returning home, others are fleeing from the FDLR and the FARDC, leaving North Kivu with a total of 900,000 IDPs.

Security Council members returned to the question of FARDC depredations, asking what MONUC could do to restrain its Kimia II partner. SRSG Alan Doss noted that MONUC has no mandate to detain FARDC abusers, and there are no military prisons in the Kivus. He acknowledged that some FARDC commanders who had committed known rapes were free, but noted the "contradictions" in the MONUC mandate to pursue the FDLR and to protect civilians. Actions to promote the former mandate would have a negative impact on the latter mandate. Ambassador Rice responded that the UN may need to provide clearer guidance to MONUC, but the culture of impunity in the DRC must be reversed.

¶4. (SBU) MONUC transported the UNSC members to Kiwanja, site of a MONUC base and some of the worst atrocities committed by the CNDP rebel group during its offensive in late 2008. A MONUC political adviser told poloff that the Security Council members pushed MONUC to take a more activist role in protecting civilians. MONUC commanders advised that they lacked the resources to protect the entire population of the Kivus, using the occasion to press for 18 requested military helicopters and the deployment of the 3,000 promised UN troops.

Kabila Touts Improved Diplomatic and Security Relations

¶5. (C) President Kabila met with the permreps at his presidential compound on May 19. Kabila, appearing relaxed throughout, said the government had increased its control of areas in the east which had improved the humanitarian

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situation over the past six months. However, IDPs remained a concern. He also said that protection of women and children is a priority for the DRC. He acknowledged that the Prime Minister had received a list of five names of human rights abusers from the Security Council and that "justice would be served."

¶6. (C) Ambassador Rice asked Kabila for his assessment of MONUC's performance and thanked him for the leadership he displayed in cooperating with Rwanda and Uganda to address negative forces in the eastern DRC. Kabila noted with appreciation the role MONUC had played in supporting stepwise progress towards peace, culminating in the 2006 national elections. He said that the next priority is the consolidation of peace, which he said was essential to reach the "point of no return" (Kabila explained he used the term to indicate a point from which a backslide to violence was minimal). The UK permrep asked Kabila if he was considering future military cooperation with Rwanda similar to the recent joint operations in North Kivu. Kabila responded "the time is not right" now for such further cooperation, adding that FARDC operations against the LRA and Joseph Kony will also continue.

¶7. (C) The Ugandan permrep asked Kabila for his assessment of relations with the DRC's Great Lakes neighbors. Kabila said that a year ago he would have characterized DRC relations as good with all but two (clearly alluding to Uganda and Rwanda); today, he said, the DRC has good relations with all nine states. He said the DRC was ready to move forward with the modalities of formal diplomatic relations with Kampala, Kigali, and Bujumbura. He summarized the status of regional relations as being "on the right path".

¶8. (C) When asked by the Japanese permrep about the impact of the global economic downturn, Kabila said the crisis limited the ability of the DRC to pay state salaries and that DRC payments on the national debt reduced funds available for social programs. He added, optimistically, that expanded state authority in the east would permit the DRC to assume control of natural resources that were, until recently, controlled by armed groups. Addressing Security Council concerns about the integration of former militia into the

national army, Kabila explained that the recently passed amnesty law was an essential step to achieve peace, and that peace cannot wait. He reiterated the peace before justice theme in reference to the status of recently integrated former rebel and ICC-indictee Bosco Ntaganda.

Muzito: DRC Making Quiet Progress

¶9. (SBU) The meeting with Prime Minister Muzito was restricted to permreps and GDRC ministers. Embassy contacts report that Muzito noted the DRC challenge of maintaining progress towards peace in the east while enduring the negative economic and financial effects of the global economic downturn. The combination of the two forced the DRC to make hard choices between public expenditures and immediate security needs. Muzito underscored that progress often goes unnoticed compared to times of crisis and said that the DRC was now making quiet progress. He said that negotiations continue between the government and North and South Kivu armed groups but he emphasized that the recently passed amnesty law does not include crimes against humanity.

Parliamentary Leadership Toes The Line

¶10. (C) Meeting with the Security Council at the parliament, Senate President Leon Kengo Wa Dondo stressed the need to equip, maintain, and train a "republican" army of 50,000 soldiers with the assistance of the international community. In a thinly veiled reference to MONUC Indian and Pakistani peacekeeper contingents, he said that there was "insubordination" between certain MONUC units, and noted that the DRC is still waiting for the 3,000 additional peacekeepers authorized by the Security Council. Regarding a date for the 2009 local elections, Kengo said that they must occur no later than the first quarter of 2010. On the global financial crisis, Kengo noted the DRC would have difficulty funding local elections at levels to which it had previously committed.

¶11. (C) Ambassador Rice noted the "shock of the painful

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personal experiences" that was shared with the Council by victims of sexual violence in Goma. She asked Kengo about the status of the law on police reform and actions to be taken against FARDC officers implicated in human rights violations. Kengo admitted that those officers who are charged are not always prosecuted and said that judicial security is the first step towards rule of law. He lamented the triumph of the "law of force" over the "force of law". He said he would ask the executive branch about the status of the police reform law (Note: the executive submits proposed draft laws to parliament for consideration. The parliament itself can propose draft laws, but in this case has deferred to the Ministries of Justice and Interior for the provision of a draft. End note).

¶12. (C) Newly elected President of the National Assembly Evariste Boshab, meeting the Security Council with parliamentary caucus leaders, noted the need to support presidential initiatives and continued progress on relations with the DRC's neighbors. Boshab, in response to Security Council members concern about sexual violence and the suggestion that the maximum criminal penalty for rape be changed, said that, regardless of the criminal penalty, ending conflict in the east is the key to combating sexual violence.

¶13. (U) Ambassador Rice has cleared this cable.
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